B2 cont.

and Xaa_{28} are Ala; and provided also that, if Xaa_1 is His, Arg or Tyr, then at least one of Xaa_3, Xaa_4 and Xaa_9 is Ala.--

REMARKS

A marked up version of the amended paragraphs to show changes made is attached hereto. Additions are noted by underlining, deletions are noted by bracketing, and all changes have been bolded for convenient reference. The amendments are made not for reasons related to patentability, but to improve the readability of the specification and correct typographical errors. These amendments add no new matter.

The amendments to the specification find full support in the specification and in materials incorporated by reference. The amendment to the description of Figure 1 merely identifies the SEQ ID NO of the genus in the top portion of the Figure. That SEQ ID NO (SEQ ID NO 3) is further defined in the specification at page 17.

The amendment to Formula III identifies the residue Xaa_{39} as Serine. This amendment is supported in the cited reference, PCT/US98/24273, duly incorporated by reference into the instant specification, by a genus in that specification within Formula III. The serine residue incorporated at position 39 is recited throughout the PCT/US98/24273 specification, for example on pages 9 and 23. These amendments therefore add no new matter and their entry is respectfully requested.

Applicant also requests that the Examiner enter the amended sequence listing, which is provided in both paper and computer readable form (diskette). The matter contained on the paper and diskette are identical, and add no new matter to the specification.

Date: April 15, 2002

Respectfully submitted,

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MARKED UP VERSION SHOWING CHANGES MADE

Amendments to the referenced paragraphs are indicated by bold and underlining for additions and bolded brackets for deletions.

(a) On page 15, first full paragraph under "BRIEF DESCRIPTION OF THE DRAWINGS":

Figure 1 depicts the amino acid sequences for certain exendin agonist compounds useful in the present invention [SEQ ID NOS 9-39] **(peptide listed above the table is SEQ ID NO: 3)**.

(b) On page 24, second full paragraph, through page 27, up to but not including "Definitions," please amend the paragraph and formula (III) [SEQ ID NO. 5] as follows:

Exendin agonist compounds also include those described in International Patent Application No. PCT/US98/24273, filed November 13, 1998, entitled, "Novel Exendin Agonist Compounds," which claims the benefit of United States Provisional Application No. 60/066,029, filed November 14,1997, including compounds of the formula (III)[SEQ ID NO. 5]:

$Xaa_1\ Xaa_2\ Xaa_3\ Xaa_4\ Xaa_5\ Xaa_6\ Xaa_7\ Xaa_8\ Xaa_9\ Xaa_{10}$

$Xaa_{11}\ Xaa_{12}\ Xaa_{13}\ Xaa_{14}\ Xaa_{15}\ Xaa_{16}\ Xaa_{17}$ Ala $Xaa_{19}\ Xaa_{20}$

$Xaa_{21}\ Xaa_{22}\ Xaa_{23}\ Xaa_{24}\ Xaa_{25}\ Xaa_{26}\ Xaa_{27}\ Xaa_{28}$-$Z_1$; wherein

Xaa_1 is His, Arg, Tyr, Ala, Norval, Val or Norleu;

Xaa_2 is Ser, Gly, Ala or Thr;

Xaa_3 is Ala, Asp or Glu;

Xaa_4 is Ala, Norval, Val, Norleu or Gly;

Xaa_5 is Ala or Thr;

Xaa_6 is Phe, Tyr or naphthylalanine;

Xaa_7 is Thr or Ser;

Xaa_8 is Ala, Ser or Thr;

Xaa_9 is Ala, Norval, Val, Norleu, Asp or Glu;

Xaa_{10} is Ala, Leu, Ile, Val, pentylglycine or Met;

Xaa_{11} is Ala or Ser;

Xaa_{12} is Ala or Lys;

Xaa_{13} is Ala or Gln;

Xaa_{14} is Ala, Leu, Ile, pentylglycine, Val or Met;

Xaa_{15} is Ala or Glu;

Xaa_{16} is Ala or Glu;

Xaa_{17} is Ala or Glu;

Xaa_{19} is Ala or Val;

Xaa_{20} is Ala or Arg;

Xaa_{21} is Ala or Leu;

Xaa_{22} is Phe, Tyr or naphthylalanine;

Xaa_{23} is Ile, Val, Leu, pentylglycine, tert-butylglycine or Met;

Xaa_{24} is Ala, Glu or Asp;

Xaa_{25} is Ala, Trp, Phe, Tyr or naphthylalanine;

Xaa_{26} is Ala or Leu;

Xaa_{27} is Ala or Lys;

Xaa_{28} is Ala or Asn;

Z_1 is -OH,

$-NH_2$,

Gly-Z_2,

Gly Gly-Z_2,

Gly Gly Xaa_{31}-Z_2,

Gly Gly Xaa_{31} Ser-Z_2,

Gly Gly Xaa_{31} Ser Ser-Z_2,

Gly Gly Xaa_{31} Ser Ser Gly-Z_2,

Gly Gly Xaa_{31} Ser Ser Gly Ala-Z_2,

Gly Gly Xaa_{31} Ser Ser Gly Ala Xaa_{36}-Z_2,

Gly Gly Xaa_{31} Ser Ser Gly Ala Xaa_{36} Xaa_{37}-Z_2,

Gly Gly Xaa_{31} Ser Ser Gly Ala Xaa_{36} Xaa_{37} Xaa_{38}-Z_2 or

Gly Gly Xaa_{31} Ser Ser Gly Ala Xaa_{36} Xaa_{37} Xaa_{38} **[Xaa_{39}]** **Ser**-Z_2;

wherein Xaa_{31}, Xaa_{36}, Xaa_{37} and Xaa_{38} are independently

Pro, homoproline, 3Hyp, 4Hyp, thioproline, N-alkylglycine, N-alkylpentylglycine or N-alkylalanine; and

Z_2 is -OH or -NH_2;

provided that no more than three of Xaa_3, Xaa_4, Xaa_5, Xaa_6, Xaa_8, Xaa_9, Xaa_{10}, Xaa_{11}, Xaa_{12}, Xaa_{13}, Xaa_{14}, Xaa_{15}, Xaa_{16}, Xaa_{17}, Xaa_{19}, Xaa_{20}, Xaa_{21}, Xaa_{24}, Xaa_{25}, Xaa_{26}, Xaa_{27} and Xaa_{28} are Ala; and provided also that, if Xaa_1 is His, Arg or Tyr, then at least one of Xaa_3, Xaa_4 and Xaa_9 is Ala.